PLANNING SALEM, NH:

Four Decades Managing Growth and Development in a New England Town

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Disclosure Statement

The experiences, reflections, and project accounts in this book represent my personal perspective, based on 39 years of service as Planning Director for the Town of Salem, New Hampshire. While I have made every effort to describe events, municipal processes, and development projects accurately, the content includes subjective interpretations and recollections. These narratives should not be construed as official positions of the Town of Salem, its boards, departments, or employees.

Descriptions of individuals, decisions, and interactions are based on my memory, contemporaneous notes, and publicly available records. Any errors or omissions are unintentional. Readers seeking authoritative information on specific matters should consult official town documents, meeting minutes, or state records.

This document is not intended to provide legal, regulatory, or technical advice. References to zoning, permitting, or regulatory processes reflect the circumstances and standards in place at the time of each project and may not represent current law or practice. Any opinions expressed are solely my own and do not represent the views of the Town of Salem or any other organization.

Certain anecdotes involve public officials, applicants, or residents. These accounts are included solely to illustrate the challenges and realities of municipal planning. Nothing in this document should be interpreted as an allegation of wrongdoing beyond what is already a matter of public record.

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INTRODUCTION

I was fortunate to serve as Planning Director in Salem, New Hampshire, for 39 years, from December 12, 1983, to December 31, 2022. A lot of interesting things happened during my career. The Town Manager who hired me was fired on my third day of work. I ended up working for 15 different Town Managers. One day, the FBI came to my house to interview me about a crime involving a Planning Board member. I testified in federal court in three separate cases related to that investigation. Several other local board members went to jail for various crimes. Salem was a very busy place to work as a planner. I reviewed more than 700 major development projects involving about 12 million square feet of commercial space and 4,000 residential dwelling units. Early in my career, I coordinated the review of a one-million-square-foot regional shopping mall. I ended my career by coordinating the review of the three-million-square-foot Tuscan Village mixed-use project, which essentially created a new city within Salem.

I experienced great triumphs and got a lot of satisfaction from the job. I also had many disappointments and frustrations.

I worked with many people and dealt with many topics over nearly four decades. I want to share some of the stories I collected during my tenure along with my thoughts on many of the issues I faced.

Background

As a child, I loved to play outdoors. I explored the woods and was always involved in outdoor athletics. I think this translated into an interest in environmental issues and natural resource protection. When my family moved from a suburb of Detroit, Michigan, to Portsmouth, New Hampshire, before my junior year of high school, I began to notice the landscape, especially the contrast between the Midwest and New England. Suburban Detroit featured major highways, scattered residential developments, and flat terrain. New Hampshire, on the other hand, was full of rolling hills, open farms and fields, woodlots, quaint downtowns and villages, and those ever-present stone walls. I believe my first real interest in city planning was motivated by seeing the attractive landscapes in New Hampshire. I wanted to learn how these landscapes had been created and how they could be preserved. That interest led me to environmental issues and, later, to city planning.

As a junior and senior in high school in Portsmouth, I began looking for college programs in environmental studies. A high school friend who graduated a year ahead of me was attending Colby College in Waterville, Maine. In their course catalog, I found a major in Environmental Studies. I applied to Colby, was accepted, and entered the Environmental Studies Program. I took numerous courses dealing with environmental protection and the basic sciences, and I also added a second major in Economics. During my junior year, I began thinking about master's degree programs. I wanted to pursue a career where I could solve some of the environmental problems I was learning about, which led me to the field of city planning. I looked for planning programs in New England and eventually settled on the Regional Planning Program at the University of Massachusetts in Amherst. The area around UMass was a great place to learn about land use and city planning: small cities and towns, farm fields, and forested areas.

Getting Hired

My career in planning began with the Strafford Regional Planning Commission in Dover, NH in March 1981 (on the day President Ronald Reagan was shot) and then moved to the Rockingham Planning Commission in Exeter, NH in 1982. I had been working there for about a year and a half,

and I was looking for new challenges. I was particularly interested in working more closely with local decision-makers-the people responsible for implementing plans—rather than sitting in an office and writing plans, as I had done at RPC. I sent out several résumés for different local jobs. One day, a fellow employee at RPC asked me if I had seen the ad for the Planning Director position in Salem. I had previously done some work in Salem because I was responsible for regional transportation planning, which included doing some work there, but I had not heard about any job opening. So I wrote a cover letter and sent my résumé off as soon as possible. I interviewed with Personnel Director Nick Manolis and Town Manager Bob LeBlanc a week or so after sending in my letter, and I was happy when I got a call from Nick offering me the job. I had some concerns about working in what I had heard was a very political atmosphere, but the salary and benefits were much better than what I had at the RPC, so I took the job.

I started work in Salem on December 12, 1983, a Monday. I attended a Board of Selectmen meeting that first night where the main agenda item was a discussion of whether the Board was going to fire the Town Manager who had just hired me. I remember thinking that if the Board was going to fire the Town Manager, they might also want to fire the planner the Manager had just hired. On Wednesday of that same week, the first week I was at work, the Board of Selectmen voted to fire the Town Manager. I had a very uneasy feeling about my future in Salem and whether I would be able to survive the political shake-down. If nothing else, at least I proved that I could survive over the years, despite that tumultuous beginning.

I was very busy during my first few years on the job. In addition to supervising the Building Department and 3 building officials, I provided staff support to the Board of Adjustment, Conservation Commission, Planning Board, Water Quality Committee, and Master Plan Task Force (during 1985), and I attended Board of Selectmen meetings on a regular basis. All this was in addition to reviewing and evaluating 10–20 plans every 2 weeks for Planning Board meetings and meeting with dozens of applicants. I still can't believe I could handle all those activities.

PROJECTS

I reviewed thousands of development plans over 39 years as Planning Director in Salem, including 700 major projects (site plans for commercial development and subdivisions for new house lots) and many smaller projects, such as lot line adjustments or minor changes to commercial sites. Each project involved numerous meetings with applicants and their engineers or surveyors, coordination with other town staff, evaluating compliance with zoning and other local regulations, preparing review comments, setting up and attending Planning Board meetings, and addressing concerns from abutters, applicants, staff, and Board members.

I could tell a story about almost every project. I decided to share some of them because they are funny or sad, illustrate a point, or involve some of the larger issues Salem dealt with.

Amazing Intimates (South Broadway)

In 2019, a new adult business called Amazing Intimates wanted to open on South Broadway. At my request, they submitted a letter and a floor plan showing compliance with our Adult Business Ordinance. We issued the necessary permits, the store opened, and soon afterward I received a complaint that they were selling too much adult merchandise. The complaint came from an attorney for the Moonlight Reader adult business across the street. The attorney sent photos of the merchandise displays at Amazing Intimates and a link to a video made by a private surveillance

company. In response, I scheduled an inspection of Amazing Intimates. As I said to my fellow employees at the time, it's hard to believe I get paid to do this work. My inspection found that the amount of adult merchandise complied with the Town's ordinance.

BJ'S Wholesale Club (Cluff Road)
The Planning Board approved the site plan for BJ's Wholesale Club on Cluff Road in May 1986, after two short meetings. Dave Boutin, who was the Town Planner in Salem before me, served as the applicant's consultant on the BJ's project for SBR Realty.

I walked the BJ's parcel when the plan was submitted and found a small bog—complete with a quaking mat of moss over open water—in the middle of a wooded area. It was the only bog I ever saw in Salem. The plans didn't indicate there was a bog there. In fact, the plan noted some poorly drained soils but made no mention of the bog. I called the applicant, met their soil scientist at the site, and showed him the bog. I suspect he had never been out to the site, or perhaps he had simply missed that feature. The plan was revised to show the bog, but the Conservation Commission and the State Wetlands Bureau both approved filling it.

I was concerned about the front driveway entrance to the site, which didn't seem to provide enough space for vehicles to enter and exit safely. We didn't have a town traffic consultant at that time, so I brought the plan to a private traffic consultant who had done some work in town. He reviewed it and told me the circulation would not work given the entrance configuration. I relayed this to the Board at the next meeting and urged them to require a professional traffic review. However, they had already reviewed the plan and were willing to accept the applicant's assurances that circulation would work. The Board approved the plan with a condition that BJ's conduct a traffic study after the fact and implement any necessary changes. Unfortunately, the entrance never worked from the day the store opened, and it caused major traffic congestion on Cluff Road until further road improvements were made by another applicant.

The 1985 Master Plan talked about restricting the east-west spread of retail development down the side roads of Route 28, where conflicts with nearby residential uses were more likely. Here's an excerpt from my staff comments on BJ's to the Planning Board:

> I remain concerned about the size of this project (over 4 acres of parking), its proximity to a residential area, and its continuation of urban sprawl beyond Route 28. This plan meets all our zoning requirements and is certainly better than previous plans for this site. However, I feel it is unfortunate that this land is zoned for commercial use. As we work to implement the Master Plan, I hope the community pays particular attention to containing strip development and establishing transition areas between residential and commercial districts.

One other interesting aspect of the project was a four-acre conservation easement granted to the Town on the east side of the development. I requested it as a buffer for the abutting residential property.

Braemoor Woods (Veteran's Parkway)
In 2002, Braemoor Woods proposed building 255 housing units on 83 acres between Veterans Memorial Parkway and Cluff Road. The land had been owned by Dan Lord, who had previously talked with me about donating it for conservation. But Dan passed away, and his children did not share his passion for keeping the land undeveloped. About two-thirds of the site was wetlands,

including a large area of Prime Wetland. Before the project even reached the Planning Board, a major battle erupted over impacts to the Prime Wetland along Veterans Memorial Parkway.

The developer (Steve Lewis) wanted to cross an area of Prime Wetland with a new road, which required special approval from the Salem Conservation Commission and the NH Wetlands Bureau. I'll never forget my first visit to the site with the Commission. The front portion along Veterans Memorial Parkway was covered with water. It looked like a bayou in Louisiana. There was so much water—and it looked so deep—that we didn't even try to walk the site. Much of the parcel was upland, but we couldn't tell that on our first visit.

Later that year, we went back to the site and it looked completely different. Most of the water was gone. We were able to cross the small wetland in front just by jumping over it. In fact, some members wore sneakers on the second visit and didn't even get wet. But Conservation Commission Chairman George Jones did not attend that second visit. His impression of the site—and his opposition to the road crossing—was formed at the first visit. He and Steve butted heads early and often. In December 2002, the Commission recommended denial of the permit and Steve stormed out of the meeting. The issue was ultimately resolved months later when the NH Wetlands Bureau approved the project and denied an appeal by the Commission.

The Braemoor Woods project was approved by the Planning Board in October 2004 for 142 units of senior housing, but it was revised several times. It now includes three workforce (affordable) housing projects totaling 96 apartments, along with 88 market-rate condos in two five-story buildings and 11 market-rate duplexes. Steve and his partners donated a 32-acre portion of the parcel along Veterans Memorial Parkway to the Town for conservation land.

The Clough Farm workforce housing project at 8 Braemoor Woods Rd. is a three-story, 32-unit building on 10 acres that was originally approved for 10 townhouse units. There were not many issues with the project since it was not visible from the street and was set far away from any neighbors. One abutter was concerned about drainage, but the applicant agreed to clean a ditch on their property, and the project was approved in August 2011. I suggested pedestrian connections to Veterans Parkway and Cluff Road so residents could walk to existing stores. A walkway through the woods to Cluff Road was added, but it did not connect to a sidewalk on the road.

The next Clough Farm workforce housing project at 6 Braemoor Woods Rd. was proposed in 2018 and, by that time, the 88-unit Braemoor Commons condo project at 10 Braemoor Woods Rd. had been built and occupied. Residents of those condos were not happy about having another "low-income" housing project on the street. Every resident signed a petition opposing it, and about 22 of them came to the first Planning Board meeting to speak against it. They complained about traffic, lower property values, the driveway location, streetlights, conflicts with seniors, and residents from 8 Braemoor Woods congregating near the doorway to smoke and drink. Over several long Planning Board meetings and private meetings with the condo residents, the developer, Steve Lewis, was able to address most of the concerns, and the project was approved in April 2019. Kudos to the Planning Board for not giving in to fears about "low income" housing.

Here are my comments at a ribbon-cutting ceremony in October 2010 for the Glenridge affordable senior housing project. They also apply to the other workforce housing projects at Braemoor Woods:

We are very fortunate to have this project in Salem. Our Master Plan talks about encouraging affordable and senior housing. We adopted an affordable housing ordinance in 1989 and a senior housing ordinance in 1998. There is not much that a Town can do to provide affordable housing until a landowner or developer comes in with a project. Even then, it's very difficult to actually provide such housing—there are many obstacles. Steve Lewis started the local approval process for this project in February 2003. We worked through many issues: a challenging site, significant wetlands, staff approvals, local Planning Board approval, several state permits, and the federal low-income housing tax credit program. The project was approved by the Planning Board in October 2004, and building permits were issued in December 2009. The Town is fortunate to have this high-quality affordable senior housing project, produced by a good developer who knows what we expect and exceeds our minimum requirements, and especially the involvement of the New Hampshire Housing Finance Authority (which ensures long-term affordability of the housing units). I want to thank everyone involved in bringing this project to Salem.

Brooks Properties Sign (Keewaydin Drive)

The Planning Board approved an office building at 21 Keewaydin Dr. for Brooks Properties in 2015. The building would be very visible from Rt. 93. They were allowed to put a sign on the building facing Rt. 93, but they also wanted a freestanding sign even closer to the highway. I argued against the sign because I thought the building sign would be adequate. I collected examples of buildings along Rt. 93 and Rt. 128 that did not have freestanding signs and some that had small, attractive, low signs. Brooks proposed an ugly 100-sq.-ft. rectangular sign on a 20-ft.-tall single metal post. I asked them to comply with the Town's voluntary Sign Design Guidelines, but they refused. I suggested they use a double pole or add landscaping around the pole. They refused. I told the Planning Board I thought the design of this sign was important because of its visibility from Rt. 93 and because it would set the tone for other applicants who might come in for similar signs. The Board members asked some questions but ultimately felt that the sign design was acceptable as proposed. I was disappointed that they had so little concern about aesthetics.

In mid-2022, George Fredette, the civil engineer for Brooks Properties, told me they wanted to put an electronic message board on the sign. This required a variance. I hated electronic signs! I asked him to wait until I retired at the end of the year before applying for the variance, which they agreed to do. The Zoning Board later granted the variance.

Canobie Lake Park (North Policy Street)

Not many city planners get to review new amusement park rides. I did because all new rides at Canobie Lake Park needed site plan approval from the Planning Board. In addition to reviewing the plans for new rides, I typically had to ensure that everything shown on the approved site plan was completed prior to occupancy. So I did inspections at the Park, and a few times I was offered the chance to ride attractions in advance of their opening. I believe the only time I did that was for the Haunted Mine ride in 1986.

Here's a list of some of the rides and projects I was involved with:

1986 – Haunted Mine
1988 – Corkscrew roller coaster
1989 – relocation of roller coaster
1991 – Kiddie Dragon

1992 – overflow parking
1995 – Timber Splash
1996 – Boston Tea Party
2000 – Flying Angels
2001 – Space Blaster
2004 – Castaway Island
2006 – new front entrance gate
2007 – fairground parking
2010 – Euro Fighter roller coaster
2012 – Equinox
2013 – parking lot expansion
2017 – Tidal Basin water park

Typically, there were not many issues with new rides. Traffic and adequate parking were issues in the 1980s, but the Park added parking and improved traffic control over the years. When the Boston Tea Party water ride was proposed in 1996, neighbors with houses on the nearby shoreline were concerned about noise. The Planning Board held 2 public hearings, which included testimony from noise consultants for both the neighbors and the Park. The Board had to mediate between 2 noise consultants with different conclusions about the impact of the new ride. We were all aware that Canobie had been there for 100 years and had the right to expand. But we also had an obligation to protect residential abutters from unreasonable impacts.

The major source of noise from amusement rides is not so much the mechanical aspects of the ride as the screaming of the riders. Of course, it is impossible to control that noise. To their credit, Canobie Lake Park was sensitive to the neighbors' concerns and designed the Tea Party ride with acoustic panels and a plexiglass enclosure to minimize noise impacts. The Planning Board also required an independent noise study by a third consultant chosen by the Town once the ride was open.

Most of the site plans for new rides at Canobie Lake Park were prepared by George Fredette from SFC Engineering. I initially worked with the Park's General Manager Tom Morrow, then later with Brooke Farr. It was a special treat when Ray Captell, one of the Park owners, would come in to present the renderings for new rides and attractions.

Captains Village Subdivision (Town Farm Road)
Captains Village, led by Larry Belair, proposed a 44-lot subdivision on 84 acres on Town Farm Road in March 1994 under the Open Space Preservation Ordinance. I felt the conventional plan for this project overstated the number of allowed lots, since 5 of them included portions of Hawkins Pond that would have to be filled. I also had concerns about the open-space layout, since it showed land between and behind house lots to meet the open-space requirement, and it initially included the common septic systems. In addition, the land bordering Town Farm Road and Hawkins Glen Drive was shown as "unrestricted open space," which meant it was not part of the required minimum 50%. But the Planning Board did not share my concerns. One different aspect of the plan was the common septic systems, each serving 8–10 houses, which we had not used much in Salem but which were approved by the State. The plan was approved in September 1995. Despite my initial concerns, the finished subdivision is one of the best open-space subdivisions in Salem, with 44 acres preserved, including Hawkins Pond, wetlands along the Spicket River, walking trails, a recreation center/pool, and beautiful houses and landscaping.

Carlton Oaks Apartments (next to Wal-Mart)
GFI Properties applied in March 2002 for a special exception from the Zoning Board of Adjustment to build a 144-unit apartment project with 60-foot-tall buildings in a commercial district just north of Wal-Mart on North Broadway. Apartment buildings were not permitted in the commercial district, and the maximum building height allowed was 35 feet. GFI Properties was represented by Ed Huminick, who was also Vice-Chair of the Zoning Board.

Here's a memo I wrote to the Zoning Board about the project:

> I have several concerns about the GFI Properties project that I would like to share with the Board:
>
> Residential Use
>
> - Locating a high-density residential project on this site may produce conflicts with the abutting commercial uses. Wal-Mart is open 24 hours, with tall parking lot lights that stay on all night and early morning sweeping of the parking lot, as well as substantial traffic congestion during weekends and holidays. The Town has received numerous complaints about noise, lighting, and traffic from residents in the surrounding area.
> - The Master Plan talks about the need for more multi-family housing. It says multi-family housing may be compatible in areas adjacent to retail development, but specifically mentions South Policy/Pleasant Street, Rt. 111, and Main St. for such projects (pages XII-6 and XII-11). In fact, the Future Land Use Map in the Master Plan (page XII-9 and 10) recommends general retail uses, not multi-family housing, along North Broadway.
> - The central feature of our Zoning Ordinance and Zoning Map is the separation of commercial and residential uses into different areas, as opposed to the mixing of these uses. There are some examples of apartment projects near commercial uses, such as on Cluff Crossing Road and Oakridge Avenue, but these are separated by public streets with many of the units further away from the commercial uses.
>
> Density
>
> - At 18 units per acre, this project is one-third denser than the highest density district in Salem (12 units per acre in the Garden Apartment District). If this site were zoned Garden Apartment District, only 99 units would be allowed as compared to the 144 units proposed.
> - By contrast, the Senior Housing Ordinance would only allow 79 units on this parcel.
>
> Traffic
>
> - The Wal-Mart driveway is currently at capacity. The Town's traffic consultant advised us during review of the Wal-Mart supermarket that any further use of the driveway would require widening of the driveway and North Broadway, for which right-of-way may not be available. Also, this project requires approval from the NH Department of Transportation. It may be advisable to solicit preliminary comments on this project from the Town's traffic consultant and NH DOT prior to determining if it would create a traffic hazard.
> - The lack of sidewalks along North Broadway will make walking in this area difficult and dangerous.
>
> The use of property in the Commercial-Industrial Districts for multi-family housing, as proposed in this application and others that may follow, is a significant shift from our current

zoning regulations and Master Plan. The Zoning Board of Adjustment may wish to get input from the Planning Board on this subject.

I spoke at the Zoning Board meeting, read my memo, and raised other concerns about the project. The Board voted 5–0 to grant the special exception for the apartments but denied the request for 60-foot-tall buildings.

I believe approval of this project contributed to the eventual repeal of the special exception clause in 2005, which had been controversial for a number of years.

The site plan for the Carlton Oaks apartment project was presented to the Planning Board in December 2002. George Matarrazo, a well-known landscape architect in New Hampshire, showed attractive renderings of the buildings, which were mostly screened from view of the road by mature trees. The plan noted that all trees within a 25-foot strip in front of the site would be preserved. George talked about all the trees to be added and preserved, almost as if the large apartment building would not be seen from the street. I told the Planning Board that much of the 25-foot strip would be used for the widening of North Broadway, leaving only about a 10-foot strip for trees. The landscaping plan included many trees, but the company hired to install them said there were too many to fit in the front strip and donated some of them to the Town to plant along Geremonty Drive and North Broadway. After construction, the building was clearly visible from North Broadway.